



123 Tice Boulevard, Suite 205  
Woodcliff Lake, New Jersey 07677  
Phone 201.930.9890  
Fax 201.930.9805

---

March 10, 2017

VIA ELECTRONIC AND U.S. MAIL

Ms. Caroline Kwan  
Remedial Project Manager  
Special Projects Branch  
Emergency and Remedial Response Division  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 20th Floor  
New York, New York 10007-1866

Re: Progress Report No. 68 – February 2017  
Newtown Creek Remedial Investigation/Feasibility Study

Dear Ms. Kwan:

Anchor QEA is submitting this monthly progress report (MPR) for the Newtown Creek Remedial Investigation/Feasibility Study (RI/FS) on behalf of the Newtown Creek Group (NCG) Respondents to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). As set forth in Section 42 of said Settlement Agreement, this progress report is divided into the following areas:

1. Actions taken to comply with the Settlement Agreement during the previous month
2. Results of sampling and tests and all other data received by NCG Respondents to the Settlement Agreement during the previous month
3. Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays
4. Work planned for the next 2 months with schedules relating to the overall project schedule for RI/FS completion

---

[www.anchorqea.com](http://www.anchorqea.com)

## 1. Actions Taken to Comply with Settlement Agreement during Previous Month

- An oversight invoice for the period from July 1, 2016, through December 31, 2016, was provided by USEPA on February 1.
- Discussion materials for the February 16 FS geotechnical/other sampling teleconference call were submitted via e-mail to USEPA on February 2.
- A teleconference call to discuss FS shoreline erosion and ebullition sampling was held with USEPA on February 2. On February 17, as a follow-up to the February 2 discussion, USEPA requested that an approach to collecting data from below the loading dock area on the National Grid Greenpoint Energy Center property be included in the Feasibility Study Field Program Work Plan.
- As part of the Dispute Resolution dated December 22, 2016, a memorandum detailing the approach to interpreting the results of the sediment bioassays and sediment-porewater relationships, as presented in the draft Baseline Ecological Risk Assessment (BERA), was submitted via e-mail to USEPA on February 2.
- USEPA's approach for censoring data from the four reference area locations was provided via e-mail by USEPA on February 3.
- Non-geographic information system (GIS) files related to USEPA's January 6 request for groundwater modeling information were provided via e-mail to USEPA on February 7. A GIS file related to the same January 6 request was provided via e-mail to USEPA on February 11. Also on February 11, USEPA requested additional groundwater modeling information.
- Comments on the January 20 memorandum Newtown Creek Baseline Ecological Risk Assessment: Selection of Wildlife Toxicity Reference Values and Tissue Effect Thresholds were provided via e-mail by USEPA on February 3. The comments were accompanied by a request for additional information on tissue screening levels. This information was submitted via e-mail to USEPA on February 8.
- Comments on the draft Baseline Human Health Risk Assessment were provided via e-mail by USEPA on February 8. The comments were accompanied by a request to submit the revised report to USEPA on March 27. On February 10, the NCG requested this submittal date be extended to April 7 due to the additional work USEPA was requesting be performed. On February 13, USEPA granted the requested extension.

- A teleconference call to continue discussions on technical issues related to the BERA dispute resolution was held with USEPA on February 13.
- A request for a final teleconference call related to the BERA dispute resolution be scheduled for February 21, and that all outstanding information from both the NCG and USEPA be provided by February 16, was provided via e-mail by USEPA on February 14. The February 21 teleconference call was held, and during the call USEPA and the NCG agreed that additional calls will be held to further the discussions on the outstanding technical issues. On February 23, USEPA extended the Dispute Resolution period until March 21 to allow time for these additional technical discussions.
- A summary of the NCG's understanding on the status of the technical issues outlined in the December 22, 2016 BERA dispute resolution letter was submitted via e-mail to USEPA on February 15.
- A teleconference call to discuss FS geotechnical, groundwater and nonaqueous phase liquid (NAPL) sampling was held with USEPA on February 16. On February 22, USEPA provided via e-mail notes and comments stemming from this discussion.
- Comments on the BERA-related information the NCG provided on February 2 (sediment bioassay interpretation approach) and February 8 (tissue screening levels) were provided via e-mail by USEPA on February 17.
- Preliminary comments on the hydrodynamic and sediment transport models presented in the draft Remedial Investigation Report (RI Report) were provided via e-mail by USEPA on February 17.
- A request for all modeling-related data that have not been previously provided in electronic data deliverable (EDD) form be compiled and provided as either an EDD or Excel flat files was provided via e-mail by USEPA on February 17.
- Responses to NCG comments/clarifications regarding the FS biota tissue sampling were provided via e-mail by USEPA on February 17. The responses included the following clarifications (paraphrased from the e-mail): 1) FS biota tissue sampling, as proposed by the NCG, can be conducted in 2018; 2) sampling should replicate the 2014 program, in terms of species, timing, analytes, and sample sizes; 3) sampling results can be provided as an addendum to the FS (or other document to be determined), provided the results are not significantly higher or lower than those from 2014; 4) the draft work plan for this sampling should be submitted to USEPA in

January 2018, with revisions and finalization by early April 2018; 5) validated results from the program components are to be submitted in a timely manner (i.e., as they become available), and validated datasets should not be held in order to send a complete package; and 6) striped bass rib-in sampling can be part of a separate study, but it will need to be a more robust program than proposed, the details of which can be determined during remedial design.

- Responses to NCG comments/questions on USEPA's approach to censoring outlier data for the four reference area locations were provided via e-mail by USEPA on February 21.
- Comments on the January 19 project schedule were provided via e-mail by USEPA on February 24.
- Comments on the draft Modeling Approach Memorandum (3) were provided via e-mail by USEPA on February 28.

2. Results of Sampling and Tests and Other Data Received by NCG Respondents during Previous Month

- None.

3. Encountered and Anticipated Problems and/or Delays and Solutions Developed and Implemented to Address Them

- The NCG has repeatedly requested information from the City of New York that is needed to complete the RI/FS. For example, the NCG requested information regarding groundwater infiltration into sewers in February 2015, and the City of New York indicated this information would be provided in February 2016, but nothing has been provided. In an e-mail dated November 1, 2016, USEPA indicated it will wait until after completing its review of the draft RI Report to determine whether the requested information is needed to complete the RI/FS.

4. Work Planned for the Next 2 Months with Schedules Relating to the Overall Project Schedule for RI/FS Completion

- Project update meetings are scheduled with USEPA for March 2 and April 6.
- A teleconference call and a follow-up meeting to discuss BERA-related technical issues are scheduled for March 7 and March 14, respectively.

- The Feasibility Study Work Plan and Feasibility Study Field Program Work Plan are due to USEPA on March 17.
- A revised BERA report is due to USEPA after the completion of the Dispute Resolution process. The date this document is due to USEPA will be determined by USEPA and included in its Dispute Resolution Determination Letter that will be issued by March 21.
- USEPA comments on the draft RI Report are due to the NCG on April 28.

If you have any questions regarding this progress report, please do not hesitate to contact me at (201) 571-0912 (e-mail: [jquadrini@anchorqea.com](mailto:jquadrini@anchorqea.com)).

Sincerely,



Jim Quadrini, P.E., BCEE

Anchor QEA, LLC

cc: Michael Mintzer, USEPA Region 2 Assistant Regional Counsel  
Ian Beilby, NYSDEC, Division of Environmental Remediation  
W. David Bridgers, Common Counsel for Newtown Creek Group Respondents  
Edward Leonard, CDM Smith